



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

See serial 7  
Due 09/26/98 #

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
09/106,172	06/26/98	TULLY	R 0/97293US

0262/0720

AKZO NOBEL NV  
SUITE 206  
1300 PICCARD DRIVE  
ROCKVILLE MD 20850-4373

NOT ASSIGNED

0000

DATE MAILED:

07/20/98

### NOTICE TO FILE MISSING PARTS OF APPLICATION

**No Filing Date**

(Enclosure to Form PTO-1123)

The required items noted below SHOULD be filed along with any items required on the "Notice of Incomplete Application." The filing date of this application will be the date of receipt of the items required on the "Notice of Incomplete Application." The items noted below must be filed no later than TWO MONTHS FROM THE FILING DATE ACCORDED THIS APPLICATION. If any of items 1 and 3 through 5 below are submitted after the filing date accorded this application, the SURCHARGE set forth in 37 CFR 1.16(e) of ☐ \$65.00 for a small entity in compliance with 37 CFR 1.27, or ☐ \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form and on the "Notice of Incomplete Application" are filed together, the total amount owed by applicant as a ☐ small entity (statement filed) ☐ non-small entity is \$ \_\_\_\_\_.

☐ 1. The statutory basic filing fee is:

- ☐ missing or unexecuted.
- ☐ insufficient.

Applicant must submit \$ \_\_\_\_\_ to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

☐ 2. Additional claim fees of

\$ \_\_\_\_\_ for \_\_\_\_\_ independent claims over 3.

\$ \_\_\_\_\_ for \_\_\_\_\_ dependent claims over 20.

\$ \_\_\_\_\_ for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

☒ 3. The oath or declaration:

- ☒ is missing or unexecuted.
  - ☐ does not cover the items required on "Notice of Incomplete Application."
  - ☐ does not identify the application to which it applies.
  - ☐ does not include the post office address and the city and state or foreign country of applicant's residence.
- An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and filing date is required.

☐ 4. The signature(s) to the oath or declaration is/are by a person other than the inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, referring to the above Application Number and filing date, is required.

☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and filing date, is required.

☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).

☐ 7. The application does not comply with the Sequence Rules.

See attached "Notice To Comply with Sequence Rules" 37 CFR 1.821 -1.825."

☐ 8. OTHER:

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

**A copy of this notice MUST be returned with the reply.**

*P. Walker T-Cp*  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

**PART 2-COPY TO BE RETURNED WITH RESPONSE**

09106172  
09/28/1998 CS/BERTE 00000022 022334  
130.00 CH  
FC:105



Handled by  
Dw 09/30/98  
UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY, DOCKET NO./TITLE
09/106,172	06/26/98	TULLY	R 0/97293US

AKZO NOBEL NV  
SUITE 206  
1300 PICCARD DRIVE  
ROCKVILLE MD 20850-4373

0262/0720

NOT ASSIGNED

0000

DATE MAILED:

07/20/98

### NOTICE OF INCOMPLETE APPLICATION

A filing date has NOT been assigned to the above identified application papers for the reason(s) indicated below.

All of the items noted below and a newly executed oath or declaration covering the items, unless otherwise indicated, **must** be submitted within **TWO MONTHS** of the date of this Notice, or proceedings on the application will be terminated (37 CFR 1.53 (e)).

The filing date will be the date of receipt of all items required below, unless otherwise indicated. Any assertions that the items required below were submitted, or are not necessary for a filing date, must be by way of petition directed to the attention of the Office of Petitions accompanied by the \$130.00 petition fee (37 CFR 1.1 7(i)). If the petition states that the application is complete, a request for refund of the petition fee may be included in the petition.

☒ 1. The specification (description and claims):

☒ a. is missing.

☐ b. does not include a written description of the invention.

☐ c. does not include at least one claim as prescribed by 35 U.S.C. 112.

*A complete specification (including at least one claim in a nonprovisional application) as prescribed by 35 U.S.C. 112 is required.*

☐ 2. The application was deposited without drawings. 35 U.S.C. 113 (first sentence) requires a drawing "where necessary for the understanding of the subject matter sought to be patented."

*Applicant should reconsider whether drawings are necessary under 35 U. S. C. 113 (first sentence).*

☐ 3. OTHER:

Additional observations on the above-identified application papers:

☐ 1. Pages \_\_\_\_\_ of the specification are missing.

☐ 2. Figures \_\_\_\_\_ described in the specification are missing.

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

Enclosed:

☐ "General Information Concerning Patents." See page \_\_\_\_\_

☒ "Notice to File Missing Parts of Application," Form PTO-1532.

☐ "Checklist for Patent Applications."

☐ Other: \_\_\_\_\_

**A copy of this notice MUST be returned with the reply.**

Customer Service Center

Initial Patent Examination Division (703) 308-1202

RECEIVED  
TECH CENTER 1600/2900  
98 OCT -9 AM 11:19

#3

Sector  
#

O I P E J C 2 3 4  
SEP 23 1998  
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:

Roger E. TULLY

Serial Number: 09/106,172

Group Art Unit: not assigned

Filed: June 26, 1998

Examiner: not assigned

For: ORAL LIQUID MEDICINE SOLUTION

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

Assistant Commissioner of Patents  
Washington, D.C. 20231

September 21, 1998

Sir:

Enclosed in response to the Notification of Missing Parts of Application dated July 20, 1998, is a copy of the Notice along with the Declaration and Power of Attorney, as requested.

It is believed that a surcharge is required by Applicant (although this is not indicated on the Notice). Therefore, the PTO is authorized to charge the \$130.00 surcharge under 37 CFR 1.16(e) to Deposit Account 02-2334. In the event any additional fees are required with this paper, please charge our Deposit Account No. 02-2334.

Respectfully submitted,

*Mary E. Gormley*  
Mary E. Gormley  
Attorney for Applicants  
Registration No. 34,409

AKZO NOBEL N.V.  
1300 Piccard Drive, Suite 206  
Rockville, Maryland 20850-4373  
Tel: (301) 948-7400  
Fax: (301) 948-9751  
MEG:mg

98tully.mpt

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner of Patents, Washington, D.C. 20231 on 9/21/98  
Date Of Deposit

Mary E. Gormley  
Registration No. 34,409

*Mary E. Gormley* 9/21/98  
Signature Date